

**AN ORDINANCE
BY COUNCILMEMBERS CEASAR
C. MITCHELL, C. T. MARTIN, CLETA WINSLOW,
AND IVORY LEE YOUNG, JR., AS SUBSTITUTED
BY PUBLIC SAFETY AND LEGAL
ADMINISTRATION COMMITTEE**

05-O-1092

**AN ORDINANCE TO AMEND THE PRIVATE PROPERTY VENDING
ORDINANCE BY CREATING A NEW SECTION 30-1493 WHICH SHALL
EXEMPT THEREFROM, FLEA MARKET VENDORS WHO ENGAGE IN
CASUAL AND ISOLATED SALES ACTIVITIES; TO AMEND THE
DEFINITION OF PRIVATE PROPERTY VENDING; TO REPEAL
CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.**

WHEREAS, the City of Atlanta has an interest in regulating, through the lawful exercise of its police powers, vending on private property in order to provide for the safety and welfare of the citizens of the City of Atlanta and its visitors; and

WHEREAS, the City wishes to exempt from its recently enacted private property flea market legislation those vendors who only casually vend at out-of-door flea markets; and

WHEREAS, the City wishes to correct the definition of *private property vending* to pertain to all flea market vendors, both indoor and outdoor, consistent with the existing definition of flea market.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1: That Chapter 30, Article XXIV, be amended to create a new Section 30-1493 to be entitled "Exemptions" and which states as follows:

Section 30-1493. Exemptions.

The provisions of Chapter 30, Article XXIV (Section 30-1461 et. seq.) shall not apply to any real person who engages only in outdoor sales of merchandise no more than two days in any one week period, but who otherwise meets the definition of *flea market vendor* as defined in Section 30-1461.

Section 2: That Chapter 30, Article XXIV, Section 30-1461 be amended by deleting the current definition of "private property vending" and replacing it with the following language:

Private property vending means vending activity conducted out-of-doors **or in a flea market** on private property not owned by the city or by any other governmental agency.

Section 3: All ordinances and parts of ordinances in conflict herewith are hereby repealed.